

PUBLIC NOTICE
MARYLAND DEPARTMENT OF TRANSPORTATION

NOTICE
TO
ARCHITECTS & ENGINEERS

TRANSPORTATION PROFESSIONAL SERVICES SELECTION BOARD

REQUEST FOR PROFESSIONAL SERVICES

The Secretary of the Maryland Department of Transportation has certified to the Transportation Professional Services Selection Board the need to utilize the services of architects and/or engineers for the following Project:

“National Pollution Discharge Elimination System (NPDES) and Environmental Compliance Services”.

Firms interested in being considered for work on any Project must submit an Expression of Interest for the Project as set forth herein. The Expression of Interest shall be in an envelope marked with the specified contract number for the Project. The letter portion of the Expression of Interest shall indicate the firm's desire to perform services and indicate the specific tasks or areas of expertise, which will be subcontracted, and to whom. Interested firms must submit the material required herein or the interested firm will not be considered for the Project.

Of all the firms expressing interest in a Project, those adjudged most qualified shall be requested to submit Technical Proposals. Additional information will be supplied to the selected firms so that they can prepare such proposals for the Project. The firm that submits the highest rated Technical Proposal will be requested to submit Price Proposals. When Price Proposals are prepared, cost limitations such as, but not limited to, a payroll burden and overhead limitation of 130%, shall apply. If negotiations with the firm are timely and successful, a contract may be awarded to that firm. If an interested firm is requested to submit proposals, their proposals should substantially reflect the same composition and area of involvement as their Expression of Interest.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Expressions of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same project advertisement. Also a firm that responds to a project advertisement as a prime or a prime joint venture constituent may not be included as a designated subcontractor to another firm that responds as a prime to the project advertisement. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

Questions concerning submissions and procedures may be addressed to the Maryland Transportation Authority, via email to mdtaprocurement@mdta.state.md.us with a cc response to Benjamin Mondell at bmondell2@mdta.state.md.us. and submitted no later than 4:00 P.M. on December 28, 2015.

Expressions of Interest are due no later than 12:00 P.M., on January 13, 2016.

Facsimile/**e-mail** copies are not acceptable. No response received after 12:00 P.M. on January 13, 2016, will be accepted, no matter how transmitted.

Consultants shall have the ability to provide background investigation results for Consultant personnel assigned to work on Maryland Transportation Authority projects.

Minority business enterprises are encouraged to respond to this solicitation notice.

RESPOND TO:

Norie A. Calvert

OFFICE OF PROCUREMENT AND CONTRACT MANAGEMENT

Fourth Floor, C-405

707 North Calvert Street

Baltimore, Maryland 21202

I. Maryland Transportation Authority (MDTA or the Authority)

A. Contract Number: MDTA 2015 - 01

1. Project Description:

The services to be performed are comprehensive environmental compliance, design, and management services for the MDTA. These services are primarily for but not limited to the Office of Engineering and Construction (OEC) and the Office of Environment, Safety and Risk Management (OESRM) on all MDTA-owned facilities (Authority-wide). Project Services are to be provided for a five (5) year period and will consist of individual project assignments. Project assignments will depend on the MDTA's workload. It is anticipated that project assignments will be funded with 100% Transportation Authority funds. After review of the Technical Proposals, it is anticipated the MDTA will enter into negotiations with each of the top three (3) ranked firms for contracts valued between \$1 to \$5 million each, for a total of \$9 million for the combined three (3) contracts.

The MDTA is responsible for maintaining compliance with State and Federal regulations related to environmental activities MDTA-wide. A core activity is complying with National Pollutant Discharge Elimination System (NPDES) laws for Phase II Municipal Separate Storm Sewer Systems (MS4), Industrial Discharges, and Construction Activities. The MS4 Phase II general permit involves activities related to roadways and campuses such as: Personnel Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Post Construction Stormwater Management, and Pollution Prevention and Good Housekeeping. The Industrial Stormwater general permit involves activities at MDTA maintenance facilities

such as: Annual Stormwater Pollution Prevention Training, Quarterly Outfall Monitoring, and Stormwater Pollution Prevention Plan updates. In addition, MDTA will be required to meet requirements related to the Chesapeake Bay Total Maximum Daily Load (TMDL) requirements, which are enforced via NPDES general permits for MS4 and Industrial Stormwater.

MDTA is also required to comply with other environmental laws and regulations pertaining to air, water and land that affect MDTA projects and property. A core activity is the acquisition of State and federal permits that may be required for a variety of activities including but not limited to: erosion and sediment controls, wetlands, waterways, trees, forests, Chesapeake Bay Critical Area, Maryland Historical Trust, and other natural resources permitting; addressing mitigation requirements; and other environmental typical permits involve oil control and hazardous waste management.

2. Consultant Services Required:

Consultants shall provide the professional services needed to support the above environmental requirements and activities. For the Stormwater Program provide expertise regarding environmental planning, assessment, and design; preventative maintenance of stormwater features, water quality analyses and processes, field and office data collection, and stormwater permitting. In addition, provide programmatic support by assisting in managing NPDES-related compliance activities and managing stormwater assets.

For environmental permitting support, the Consultant shall provide expertise in procuring permits or approvals from local, State, or federal regulatory agencies. The types of permits or approvals required are dependent on the type of project, the nature and extent of project-related impacts, geographic location, and permit/approval triggers. In addition,

provide programmatic support by assisting in the management and compliance of permits from application to closure.

The Consultant shall also provide expertise in compliance with MDE's Oil Control Program, assessment and design of storage tanks and related site restoration, and also environmental site investigations for site contamination characterization and media restoration.

To support these environmental activities, the Consultant shall provide services for Geographic Information System (GIS) and support implementation of Environmental Management System to assist MDTA in complying with environmental regulations, permits, and policies. Specific requirements to address are those for NPDES permits administered through the Maryland Department of the Environment (MDE).

As-needed the Consultant may provide services related to State and Federal initiatives, such as green / sustainable energy, energy conservation and management, and climate change adaptation. In addition, miscellaneous preliminary and final design services for any engineering discipline may also be included as required.

The stormwater services will focus on the NPDES permit requirements related to Illicit Discharges, Stormwater Pollution Prevention, Erosion and Sediment Control, and Stormwater Management (SWM). Tasks may include but are not limited to:

- Perform illicit discharge screening, sampling, detection, and source tracking and related documentation process;
- Quarterly outfall monitoring at MDTA maintenance facilities;
- Inventory, inspection and remedial work order preparation for storm drainage and stormwater Best Management Practices (BMPs);

- Provide short-notice/emergency field assessments related to storm impacts on storm drain systems, culverts, channels, BMPs, erosion and sediment control devices, and miscellaneous environmental features;
- Prepare storm drainage and SWM designs that includes contract advertisement documents including but not limited to Plans, Specifications and Estimates (PS&E);
- Provide Erosion and Sediment Control services including preparing plans and permits, inspecting construction sites, and performing Quality Assurance Assessments;
- Perform field oversight of stormwater-related remedial activities;
- Assess and design new stormwater retrofits and enhancements of existing BMPs;
- Provide services related to landscape design, construction, and maintenance as well as vegetation management;
- Perform stormwater discharge characterization by sampling, monitoring, assessing, and reporting, which may include field equipment installation and maintenance;
- Develop watershed-based strategies to enhance MDTA's Stormwater Program;
- Estimate pollutant loads and resultant pollutant load reductions by BMPs and water quality features to address Bay TMDL requirements;
- Maintain and update GIS databases for stormwater BMPs, drainage systems, and other related environmental resources;

- Prepare GIS products for internal-use or deliverables to State entities and others, which products may include maps / tables for export of GIS data;
- Document GIS-related activities and resources, such as compliance documents, data dictionaries, and work flow processes;
- Track impervious surfaces and stormwater treatment areas;
- Provide support and the development and implementation of Environmental Management Systems;
- Develop technical reports, guidelines, standards and procedures, and annual compliance reports;
- Prepare documents (e.g. memos, briefings, position-papers) that address the impacts of environmental initiatives, policies, and regulations.

The site environmental services related to MDTA facilities may include but are not limited to:

- Preparation and/or updating of Spill Prevention, Control and Countermeasure Plan (SPCC) for maintenance facilities;
- Develop remediation design documents for oil control/groundwater remediation that includes discharge characterization by providing sampling, monitoring, analyses, and reporting;
- Support the management of the Underground and Above-ground Storage Tanks (UST, AST) inventory;
- Provide RCRA/CERCLA services, such as site characterizations for hazardous or contaminated waste, remedial investigations, corrective action

plan development, environmental remediation design, remediation system/program oversight/management, and other related duties;

- Provide guidance and support on Drinking Water, Waste, and Wastewater activities;
- Provide guidance and support on Asbestos, Lead-Based Paint, and Indoor Air Quality compliance activities;
- Provide guidance and support with the implementation / maintenance of an Environmental Management System (EMS) and associated elements;
- Develop standard operating procedures (SOPs), training, compliance audits, environmental assessments, contingency plans, personnel analysis, budget analysis and emergency response plans.

Other environmental services that may be required:

- Provide on-site supplemental staff;
- Support public outreach activities;
- Support right-of-way and ground survey services;
- Prepare construction contract documents; Provide Construction Management Inspection and Phase-V construction services, including OSHA HAZWOPER trained staff.

The Consultant shall have the ability and manpower to respond to and act immediately on project assignments without sacrifice and disruption to other MDTA project assignments being completed by the Consultant. All work shall be done in accordance with Maryland State Highway Administration (SHA) Standards and Specifications and guidelines

prepared by the American Association of State Highway Transportation Officials (AASHTO) and MDTA policies.

The services of this contract are expected to be contained primarily within MDTA's geographical region, but assignments may be made anywhere in the State to support MDTA's needs with prior approval of the MDTA Executive Director. In addition, this contract may be used to provide services to the Maryland Department of Transportation (MDOT), or any of the MDOT modal administrations, at the direction and with the express prior written authorization of the Secretary of Transportation or the Secretary's designee. Any tasks assigned under this contract must be for services as outlined in the contract scope of work and in conformance with all contract terms and conditions and payment provisions.

3. Specific Type Firm solicited:

A Civil and Environmental Engineering firm with considerable understanding of Maryland and Federal environmental laws and regulations, experience in NPDES, storm drain network design, stormwater management facilities and outfall design, inspection and remediation, field inspections, and related environmental and highway engineering designs and investigations, ESRI-GIS development, database management, EMS development and the associated development of environmental inspections, plans, procedures, reports, manuals and training is required.

The Consultant shall be proficient in the services listed above and shall bring experienced and expert staff to the project. The Consultant shall be completely familiar with the MDTA / Maryland State Highway Administration process and procedures as outlined in State Highway Administration's "Specifications for Consulting Engineers' Services" dated April, 1986. The Consultant must have the capability to submit files utilizing MicroStation

Version 8 and GEOPAK 2004 version and other current design file formats as specified by the MDTA. Electronic file submissions shall be continuous throughout the project such that the MDTA's files are representative of the current stage of work. All digital plan submissions shall be based on the Maryland Grid NAD 83/91 Datum Maryland State Plane Coordinates in feet if two-dimensional and NAD 83/91 and NAVD 88 if three-dimensional. Utility engineering will adhere to the utility owner's specifications. Communications between the Consultant, Joint Venture Constituents (where applicable) and the MDTA and/or the MDTA's project representative will be critical. The Consultant selected must have the capability to transfer and receive compatible electronic data. The MDTA shall solely own all documents and materials developed by the Consultant, and may request the submission of documents and materials in MDTA requested formats at any time.

As per State Finance & Procurement Article, Sections 17-701 – 17 – 707 of the Annotated Code of Maryland, the firm(s) selected for a given Contract will be required to provide "Certification Regarding Investments in Iran". See below 4(h).

The firm(s) selected for a given Contract may be required to provide engineering services for any MDTA design and construction project, including Design/Build projects. This may limit the firm's potential for pursuing work with a contractor on the same Design/Build project after advertisement. General Provisions Article, Title 5 of the Annotated Code of Maryland will dictate the Consultant's eligibility to pursue work on Design/Build projects after advertisement.

4. Required Information

The Consultant shall submit one (1) original and five (5) copies of an Expression of Interest, which shall include the following:

- (a) One (1) Letter of Interest - Limited to two (2) pages which must contain the information that the Consultant has the financial capacity to provide the services and has measures of protection for the State against errors and omissions and the e-mail address of the Primary Liaison.
- (b) One (1) US Government Form SF 255 with a project organization chart and additional support staff chart
- (c) One (1) US Government Form SF 254 for each firm, including each subcontractor proposed.
- (d) One (1) additional and unbound copy of the Letter of Interest.
- (e) One (1) additional and unbound SF 254 Form, for those firms, including subcontractors, who are not currently on file with the Consultant Services Division.
- (f) A copy of the firm's current certificate(s) of insurance.
- (g) The Consultant shall comply with the "Requirements" and "Special Requirements" set forth hereinafter when completing the aforesaid documentation.
- (h) As per the State Finance & Procurement Article, a firm engaging in investment activities with companies appearing on the Investment Activities in Iran list is ineligible for bid/proposal/award. The Investment Activities in Iran list is located at www.bpw.state.md.us of the Maryland Board of Public Works (BPW) web site. As per the BPW Advisory No. 2013-1; Date Issued: January 1, 2013, an

officer of the firm shall provide a signed original certification as per language listed on BPW Advisory page.

NOTE: All information must be presented in an easily readable format. **Font size shall be no smaller than 11 point. All materials shall be spiral bound (comb binding is not permitted).** US Government forms are to be completed with standard size typing and are not to be photo reduced. Computer generated forms are acceptable; however, the format and spacing is to be identical to that of the Standard Forms 254 and 255. Each section shall be divided with tabs.

5. Requirements - Documentation

In completing the SF 255 Form, Item #4, Personnel by Discipline, the Consultant shall document personnel by discipline presently employed at the work location proposed. If more than one (1) location is being proposed by the Consultant, the Consultant must clearly document all locations proposed and show the total number of personnel by discipline for all locations proposed. Subcontractor Personnel are not to be included. An explanation of work distribution shall be indicated under Item #5 on the Form SF 255 for those Firms/Joint Ventures proposing to split significant portions of the project between Firms or Offices.

The information required for Item #7, Key Staff, is to be limited to seven (7) individuals who are proposed for performing significant productive time on the Project and shall not exceed one (1) page in length per individual. Information presented must convey each individual's specific role, responsibility, and involvement in any listed experience. Vague and general descriptions should not be used. Exact timeframes should be noted for each referenced project or experience, and all project experience noted shall be within the last

six (6) years. The Consultant must document in writing in Item #7 that the Key staff individuals meet the following requirements in this order:

- One (1) of the Key Staff individuals shall be a Professional Engineer registered in the State of Maryland and will serve as the overall Project Manager for this contract. This individual shall have expertise in overseeing multiple, diverse, and simultaneous environmental-related projects. This individual should preferably also have experience in the management of environmental compliance programs. This individual will manage the contract and all tasks, and shall have demonstrated experience in accounting, invoicing, contract administration, budget, and program management. Program management experience on behalf of a government agency is preferred. This individual must be a direct employee of the prime/prime joint venture.
- One (1) of the remaining Key Staff individuals shall be a Professional Engineer registered in the State of Maryland to serve as the Stormwater Engineer. This individual will aid in managing the Stormwater Program, and shall have demonstrated experience in complying with NPDES and TMDL requirements and processes. This individual must be a direct employee of the prime/prime joint venture.
- One (1) of the remaining Key Staff individuals shall be a Professional Engineer registered in the State of Maryland to serve as the Drainage Engineer. This individual must have expertise in hydrologic/hydraulic analyses and SWM design related to highway and facility designs. In

addition, the individual shall have demonstrated experience in inventory, inspection, and remediation of stormwater infrastructure. This individual must be a direct employee of the prime/prime joint venture.

- One (1) of the remaining Key Staff individuals shall have expertise in ESRI-Geographic Information System (GIS) and database development including programming, to serve as a GIS Coordinator. This individual must be a direct employee of the prime/prime joint venture.
- One (1) of the remaining Key Staff individuals shall have expertise primarily in regulatory permitting related to environmental resources to serve as the Permit Coordinator. The individual shall have demonstrated experience in simultaneously procuring multiple and diverse permits or approvals from local, State, or federal regulatory agencies; and also have demonstrated experience in developing mitigation plans. Program management experience on behalf of a State agency is preferred. This individual may be a direct employee of the prime/prime joint venture or a subconsultant.
- One (1) of the remaining Key Staff individuals shall be a Professional Engineer registered in the State of Maryland to serve as the HazMat Lead. This individual must have demonstrated experience in environmental management and permitting related to hazardous and non-hazardous contaminated materials/waste; and be versed in RCRA/CERCLA

requirements. This individual may be a direct employee of the prime/prime joint venture or a subconsultant.

- One (1) of the remaining Key Staff individuals proposed shall be a Professional Geologist or Professional Engineer Licensed in Maryland to serve as the Environmental Site Lead with demonstrated expertise in the replacement of underground and above-ground storage tanks and related site remediation. This individual will aid in managing the Tank Program, and shall have demonstrated experience in the requirements of MDE's Oil Control Program. This individual may be a direct employee of the prime/prime joint venture or a subconsultant.

A one (1) page listing of seven (7) primary supplemental staff available for this project, and a one (1) page team organizational chart shall also be provided. The primary supplemental staff shall include a supplemental Project Manager, Stormwater Engineer, Drainage Engineer, GIS Coordinator, Permit Coordinator, HazMat Lead, and Environmental Site Lead to cover the same relevant consultant services as the seven (7) Key staff. The organizational chart shall demonstrate the firm's team structure, incorporation of subconsultants, and commitment of resources to this project. Where Maryland Registrations are required for the professional Key Staff, the Consultant shall include on line "f" of the SF 255 the words "Maryland Registered" and the Maryland License Registration Certificate Number for the individual. Individuals with existing professional licenses in other states may be listed as "PENDING" for reciprocity. These individuals must obtain Maryland licensure by contract Notice to Proceed. **Additionally, the individual Key Staff resumes shall include the number of years of experience at the proposed assignment level.** Failure of

the Consultant to properly document Key Staff requirements in writing will result in the firm being precluded from further consideration for the Project.

The information required for Item #8, Similar Projects, shall be limited to six (6) similar projects and shall not exceed three (3) pages in total length. The Consultant shall submit one project demonstrating experience for each of the following topics in this order:

1. Stormwater Program management support to meet permit requirements for NPDES general permits for MS4 and Industrial Stormwater, including addressing the requirements and processes related to Chesapeake Bay TMDLs;
2. Inventory, inspection and remedial work order preparation for drainage systems and slopes;
3. Assessment and design of new stormwater retrofits and enhancements of existing BMPs, including development of construction budgets and contract documents;
4. GIS-related services to meet compliance requirements, particularly for NPDES. Includes the management of stormwater BMPs, small storm drainage, environmental resources, and storage tanks;
5. RCRA/CERCLA services for site characterization and managing hazardous / contaminated materials; and
6. Acquisition and management of regulatory permits for stormwater and environmental resources, including affiliated mitigation.

Two (2) projects shall be set forth on each page. There shall be no constraints to the format of the page, but all of the required contents must be included.

Projects must be relevant in that the staff and/or office involved in noted projects must be proposed to work on this pending contract. Both the Key Staff individual experience and the similar projects set forth shall be recent experience performed within the past six (6) years.

Item # 9 of the SF 255 shall be a complete listing of all work by the Consultant or Joint Venture constituents currently being performed directly for the State of Maryland.

Item #10 of the SF 255 shall be Two (2) pages. One (1) page will be used to document the firm's overall approach to meeting the Scope of Services. One (1) page will be used to document the firm's commitment of resources to this Contract to maintain responsiveness, project schedules, completeness of designs, and quality.

5. Special Requirements - MBE Provisions:

The Maryland Department of Transportation (MDOT) hereby notifies all proposers that in regard to any contract entered into pursuant to this advertisement, Minority Business Enterprises (MBEs) will be afforded full opportunity to submit expressions of interest in response to this notice and will not be subject to discrimination on the basis of race, color, sex or national origin in consideration for an award.

It is the goal of MDTA that certified businesses participate in all contracts. Each contract may contain a goal for MBE participation, on a contract-by-contract basis. Consultants interested in submitting an Expression of Interest must comply with the "SPECIAL PROVISIONS, AFFIRMATIVE ACTION REQUIREMENTS, UTILIZATION OF DISADVANTAGED BUSINESSES, THE SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987 AND ISTEA OF 1991, ATTACHMENT 6", as modified June 8, 2000, which is obtainable from the Consultant Services Division at the address or phone number noted herein.

To comply with the aforesaid SPECIAL PROVISIONS, Consultants who submit Expressions of Interest must clearly set forth the MBE subcontractor(s) proposed for goal attainment indicating:

- 1) The proposed work,
- 2) Percentage of total work,
- 3) MDOT certification number, and
- 4) Applicable NAICS Codes

for each MBE. Said information shall be shown in Item #6 of the Federal Government SF 255 form. If the proposed MBE firm is not certified by MDOT, the Consultant shall indicate the certification status of the proposed MBE firm in lieu of the certification number. Consultants shall also set forth in the letter portion of the Expression of Interest their "Consultant Liaison Officer for Minority Affairs". The Consultant's failure to submit all of the required MBE information, in the specified areas, will result in the Consultant being

disqualified from further consideration for the Reduced Candidate List on this Project, unless it is in the best interest of the State to seek clarification or additional information from the Consultant.

MINORITY BUSINESS ENTERPRISE GOAL

FOR THE PURPOSE OF THIS CONTRACT, AN OVERALL GOAL OF TWENTY-FOUR PERCENT (24%) HAS BEEN ESTABLISHED FOR MBEs. WITHIN THE OVERALL GOAL, SUB-GOALS OF NINE PERCENT (9%) FOR CERTIFIED WOMEN OWNED FIRMS, TWO PERCENT (2%) FOR HISPANIC OWNED FIRMS AND SIX PERCENT (6%) FOR AFRICAN AMERICAN OWNED FIRMS HAVE BEEN ESTABLISHED FOR THIS CONTRACT.

Proposers have to meet the established MBE goal by certified MBE subcontractor(s).

NOTE: New Guidelines Regarding MBE Prime Self-Performance. Please note that when a certified MBE firm participates as a prime contractor on a contract, a procurement agency may count the distinct, clearly defined portion of the work of the contract that the certified MBE firm performs with its own forces toward fulfilling up to fifty-percent (50%) of the MBE participation goal (overall) and up to one hundred percent (100%) of not more than one of the MBE participation subgoals, if any, established for the contract. For example, for a construction contract that has a 27% MBE overall participation goal and subgoals of 7% for African American firms and 4% for Asian American firms, subject to Section 4 above and this Section 5, a certified African American MBE prime can self-perform (a) up to 13.5 % of the overall goal and (b) up to 7% of the African American subgoal. The remainder of the overall goal and subgoals would have to be met with other certified MBE firms or a waiver request.

Liquidated Damages.

The Contract that will result from the solicitation will require the Contractor to make good faith efforts to comply with the Minority Business Enterprise

(“MBE”) Program and Contract provisions. The MDTA and the Contractor acknowledge and agree that the State will incur damages, including but not limited to loss of goodwill, detrimental impact on economic development, and diversion of internal staff resources, if the Contractor does not make good faith efforts to comply with the requirements of the MBE Program and MBE contract provisions. The parties further acknowledge and agree that the damages the State might reasonably be anticipated to accrue as a result of such lack of compliance are difficult to ascertain with precision and that liquidated damages present a fair, reasonable, and appropriate estimation of damages.

Therefore, upon a determination by the MDTA that the Contractor failed to make good faith efforts to comply with one or more of the specified MBE Program requirements or Contract provisions and without the MDTA being required to present any evidence of the amount or character of actual damages sustained, the Contractor agrees to pay liquidated damages to the MDTA at the rates set forth below. Such liquidated damages are intended to represent estimated actual damages and are not intended as a penalty. The Contractor expressly agrees that the MDTA may withhold payment on any invoices as a set-off against liquidated damages owed. The Contractor further agrees that for each specified violation, the agreed upon liquidated damages are reasonably proximate to the loss the State is anticipated to incur as a result of such violation.

- A. Failure to submit each monthly payment report in full compliance with COMAR 21.11.03.13B (3): \$23.00 per day until the monthly report is submitted as required.

- B. Failure to include in its agreements with MBE subcontractors a provision requiring submission of payment reports in full compliance with COMAR 21.11.03.13B (4): \$82.00 per MBE subcontractor.
- C. Failure to comply with COMAR 21.11.03.12 in terminating, canceling, or changing the scope of work/value of a contract with an MBE subcontractor and/or amendment of the MBE participation schedule: the difference between the dollar value of the MBE participation commitment on the MBE participation schedule for that specific MBE firm and the dollar value of the work performed by that MBE firm for the contract.
- D. Failure to meet the Contractor's total MBE participation goal and subgoal commitments: the difference between the dollar value of the total MBE participation commitment on the MBE participation schedule and the MBE participation actually achieved.

Notwithstanding the use of liquidated damages, the MDTA reserves the right to terminate the contract and exercise all other rights and remedies provided in the contract or by law.

Veteran-Owned Small Business (VSBE) Provisions:

The Maryland Department of Transportation (MDOT) hereby notifies all proposers that in regard to any contract entered into pursuant to this advertisement, VSBEs will be afforded full opportunity to submit expressions of interest.

It is the goal of MDOT that certified businesses participate in all contracts. Each contract may contain a goal for VSBE participation, on a contract-by-contract basis. Consultants interested in submitting an Expression of Interest must comply with Code of Maryland Regulations (COMAR) 21.11.13. To comply with the aforesaid SPECIAL

PROVISIONS, Consultants who submit Expressions of Interest must clearly set forth the VSBE subcontractor(s) proposed for goal attainment indicating:

- 1) The name of the firm,
- 2) Percentage of total work, and
- 3) DUNS number

for each VSBE. Said information shall be shown in Item #6 of the Federal Government SF 255 form. Consultants shall also set forth in the letter portion of the Expression of Interest their "Consultant Liaison Officer for Veteran-Owned Small Business Enterprises". The Consultant's failure to submit all of the required VSBE information, in the specified areas, may result in the Consultant being disqualified from further consideration for the Reduced Candidate List on this Project, unless it is in the best interest of the State to seek clarification or additional information from the Consultant.

VETERAN-OWNED SMALL BUSINESS ENTERPRISE GOAL (VSBE)
FOR THE PURPOSE OF THIS CONTRACT, A GOAL OF ONE PERCENT (1%) HAS BEEN ESTABLISHED FOR VSBEs.

7. **Project Representative:** E-mail: bmondell2@mdta.state.md.us
8. **Additional Information:** The MDTA reserves the right to develop multiple Reduced Candidate Lists from those firms responding to this advertisement or to make multiple selections from one (1) Reduced Candidate List.

Electronic Transfer:

By submitting a response to this solicitation, the Consultant agrees to accept payments by electronic funds transfer unless the MDTA Division of Finance grants an exemption. The selected Consultant shall submit the Vendor EFT Registration Request Form. Any request for exemption must be submitted to the MDTA Division of Finance for approval at the address specified on the EFT Registration Request Form and must include the business identification information as stated on the form and include the reasons for the exemption.

- 9. Rating Criteria:** The major factors/criteria for the establishment of a Reduced Candidate List for this Project, in descending order of importance, will be:
- a) Key Staff / Supplemental Staff, including organization chart
 - b) Similar Project Experience
 - c) Past Performance on similar MDTA / MDOT Projects
 - d) Capacity to accomplish proposed work in required time, including SF255 Item #10
 - e) Compatibility of size of firm with size of proposed project
 - f) Firm's location
 - g) Financial Responsibility (Pass/Fail)
 - h) Consultant has measures of protection for the State against errors and omissions (Pass/Fail)
- 10.** Ratings developed in the short list process for criteria a.) Key Staff individuals will be retained and used in the final selection process. Later

substitutions of Key Staff members must be approved by the MDTA, and will be re-evaluated using the same criteria used at the Expression of Interest stage. This may result in a revised score. All scores will remain confidential for short-listed firms until after final selection.

11.

Respond by: January 13, 2016 prior to 12:00 PM.

Respond to: Norie A. Calvert

OFFICE OF PROCUREMENT AND CONTRACT MANAGEMENT

Fourth Floor, C-405

707 North Calvert Street

Baltimore, Maryland 21202